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Report of the Secretary-General on the humanitarian implications of the measures imposed by Security Council resolutions 1267 (1999) and 1333 (2000) on the territory of Afghanistan under Taliban control

I. Introduction

1. In paragraph 15 (d) of its resolution 1333 (2000) of 19 December 2000, the Security Council requested me to report periodically on the humanitarian implications of the sanctions on the territory of Afghanistan under Taliban control and to present a comprehensive report on this issue no later than 30 days prior to the expiration of the measures imposed by the resolution. The present report is submitted pursuant to those requests.

2. Since the adoption of resolution 1333 (2000), I have submitted three reports (S/2001/241, S/2001/695 and S/2001/1086). In the last report, I informed the Security Council of the changed circumstances in the monitoring and assessment process.

3. The latest political developments and the formation of an interim government for Afghanistan have fundamentally affected the framework under which sanctions were adopted. The measures imposed by the Security Council in resolutions 1267 (1999) and 1333 (2000) are targeted against the Taliban, assets and undertakings owned or controlled by them, and individuals and entities associated with them. With the collapse of the Taliban most sanctions measures appear to have no focus. Therefore, I am currently not in a position to submit any further assessment in addition to the reports cited in paragraph 2 above; only some summary remarks concerning the monitoring and assessment process and its findings are contained in the present report, together with some observations which the Security Council may wish to take into account in considering future sanctions regimes.

II. Monitoring methodology

4. The methodology for the monitoring and assessment described in my first report (S/2001/241) proved to be appropriate. The main difficulty was to distinguish between the effects of sanctions and other factors that influenced the humanitarian situation in Afghanistan. Specific case studies, in areas such as civil aviation and transport safety or the availability of essential drugs, investigated the link between the deterioration in the humanitarian situation and the individual sanctions measures. They followed the chain of causality and tested whether any deterioration

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in the humanitarian situation occurred and whether this was attributable to the sanctions regime or to other causes.

III. Humanitarian implications of the sanctions measures

5. The sanctions imposed by resolutions 1267 (1999) and 1333 (2000) are limited in scope and targeted at specific individuals, entities and activities. As noted in my previous reports, the sanctions measures had consequently only limited adverse effects on the humanitarian situation. The main causes of human suffering in Afghanistan were and still are the armed conflict, the three years of unprecedented drought and widespread human rights abuses.

6. The sanctions regime as a whole however did have a generalized impact on aspects of the economy and therefore indirectly also on the humanitarian conditions. An example was the negative effect on the regional investment climate and local business confidence. The sanctions regime also became one of the major grudges that the Taliban held against the United Nations. The sanctions measures affected the relationship between the international humanitarian community and the Taliban authorities and had a negative effect on the operating environment for humanitarian agencies.

IV. Observations and recommendations

7. The frequent and efficient communication and interaction between the Committee established pursuant to resolution 1267 (1999), the Office for the Coordination of Humanitarian Affairs of the Secretariat and the humanitarian programmes in the field facilitated the effective handling of the humanitarian exemption procedure and functioned as a troubleshooting mechanism for humanitarian problems linked to the sanctions regime. Throughout the monitoring process the exemption procedures worked well and in a timely and efficient manner.

8. During the whole monitoring period the Taliban authorities maintained an active public information campaign within Afghanistan against the United Nations sanctions regime. They condemned the measures and blamed them for the deterioration in the prevailing humanitarian situation. That campaign involved Taliban-controlled radio, newspapers and mosques. The United Nations had limited or no means to sensitize the population inside Afghanistan to the decisions of the Security Council, and was not in a position to counter those public misrepresentations or to project an objective perspective on the role and scope of the sanctions. This contributed to the widespread belief that the measures did indeed hurt the population. Future sanctions regimes should give careful consideration to devising ways and means of providing the affected population with objective information on the specific nature of sanctions.

9. The established monitoring and assessment mechanism and the regular reviews of the impact of the sanctions as well as the subsequent briefings and consultations with the Security Council and its sanctions Committee have resulted in useful reflections and discussions on sanctions and their implications. The Security Council may wish to consider establishing such a procedure for future sanctions regimes to monitor and assess possible unintended negative effects on the civilian population of the targeted countries.